



Michigan Supreme Court

State Court Administrative Office

Family Services

Friend of the Court Bureau

Michigan Hall of Justice

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Daniel J. Wright
Director

MEMORANDUM

DATE: March 8, 2007

TO: Friends of the Court

CC: Chief Circuit Judges
Presiding Family Division Judges
Circuit Court Administrators
Family Division Administrators

FROM: Daniel J. Wright, Director

RE: Administrative Memorandum 2007-03
Changes to Uniform Support Order

The State Court Administrative Office (SCAO) Family Services Division/Friend of the Court Bureau develops and recommends guidelines for the conduct, operations, and procedures of all friend of the court (FOC) offices. The Friend of the Court Act requires county FOCs to take all necessary steps to adopt the recommendations made by the Friend of the Court Bureau. See [MCL 552.503\(7\)](#).

SCAO has recently revised the Uniform Support Order forms ([FOC 10](#) and [FOC 10a](#)). The revisions take effect on April 1, 2007. This memorandum describes those changes. The memorandum also suggests how to use the new forms if the order submission and entry dates in a particular case overlap with the effective date for the new forms.

A. Changes to FOC 10

1. Revision of the title to allow the user to designate the type of order (ex parte, temporary, modification, or final).
2. Change in item number 2 to require the support payer to make the monthly payments to the Michigan State Disbursement Unit (MiSDU), as required by

statute. Removal of the provision for payment to the FOC, but addition of a reference to item 13 to provide for those rare occasions when a court might order a special type of payment.

3. Deletion of the separate effective date for childcare in item 2. The Michigan Court Forms Committee did not believe this provision was being used.
4. Change to the box in item 3 to separate the base support amount into its two components. Before revision, the base support, which included support and a health care premium adjustment, was stated as a single amount and the amount of the health care premium was noted separately. The old form was designed to accommodate the way the Michigan child support computer system (MiCSES) processed base support and parenting time abatements. MiCSES can now use the straightforward format in the revised form.
5. Slightly revised wording in item 4 to allow the user to add language at the end.
6. Item 5 was changed.
7. Revision of item 7 to incorporate the statutory exception to the prohibition on retroactive support modification.
8. Item 8 was changed – punctuation/hyphens/spelling.
9. Revision of item 12 to provide that past due support must be repaid in installments calculated by using the Michigan Child Support Formula.
10. Addition of a line to include the preparer's name.
11. Addition of a signature line for the attorneys.

B. Changes to FOC 10a (no FOC services)

1. The addition of a statement to alert users that FOC 10 must be used unless the court has previously entered an order exempting the case from FOC services.
2. Revision of the title to allow the user to designate the type of order (ex parte, temporary, modification, or final).
3. Revision of the language regarding the termination date for childcare in item 1 to mirror the related language in FOC 10.
4. Deletion of the separate effective date for childcare in item 2. The Michigan Court Forms Committee did not believe that this provision was being used.

5. Revision of the box in item 3 to separate the base support amount into its two components. Before revision, the base support, which included support and a health care premium adjustment, was stated as a single amount and the amount of the health care premium was noted separately. The old form accommodated the way the Michigan child support computer system (MiCSES) processed base support and parenting time abatements. MiCSES can now use the straightforward format in the revised form.
6. Slight revision of item 4 to allow the user to add language at the end.
7. Revision of item 6 to provide for the statutory exception to the prohibition on retroactive support modification.
8. Changes to item 7 – punctuation/hyphens/spelling.
9. Addition of a line for the preparer's name.
10. Addition of a signature line for attorneys.

C. How to use the new version of the Uniform Support Order if an order's submission and entry dates are close to the new forms' effective date

[MCR 3.211\(D\)](#) states in part that "(1) Any provisions regarding child support or spousal support must be prepared on the latest version of the Uniform Support Order drafted by the state court administrative office and approved by the Supreme Court...."

Because the court rule specifically states that support provisions must be *prepared* on the latest version of the order, clarification is necessary about which form to use when the order's submission and entry dates are close to the effective date of the revised forms.

1. Orders prepared and submitted *before* the effective date of the revised forms and expected to be entered *before* the effective date: The current Uniform Support Order forms dated 9/05 should be used when the order is expected to be entered before April 1, 2007.
2. Orders prepared and submitted *before* the effective date for the revised forms and expected to be entered *after* the effective date: Either the 9/05 or the 9/06 versions are appropriate to use in this case. Because the court rule states that support orders are to be prepared on the latest version of the form, using the 9/05 version, although it will be replaced with the 9/06 version, complies with the court rule. However, if court staff believes that the order will not be entered until after the effective date, then it is also appropriate to use the 9/06 version of the Uniform Support Order.

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3. Orders prepared, submitted, and entered *after* the effective date: Only the 9/06 version, effective as of April 1, 2007, should be used. This ensures that the forms used are the “latest version” as required by the court rule.

Courts and FOC staff who have questions may contact Angel Sorrells (SorrellsA@courts.mi.gov) or Steven Capps (CappsS@courts.mi.gov) at 517-373-5975.